

The GENUINE and AUTHENTIC

TRIAL

O F

Mr. *Bartholomew Greenwood*,

Charg'd with Robbing

Mr. *Roger Wheatly* near *Camberwell*.

Which was try'd before the

RIGHT HONOURABLE

Mr. BARON *CARTER*,

AT THE

Affizes for the County of *Surry*,

Held at *Kingston* upon *Thames*: On *Satur-*
day Aug. 2. 1740.

The THIRD EDITION.

L O N D O N :

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THE GENTLEMANLY ATTENDANCE

TRIAL

OF

THE

WITNESSES

IN

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CASE

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IN

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THE
T R I A L, &c.

J U R Y.

<i>Thomas Cole,</i>	<i>John Hall,</i>
<i>John Welch,</i>	<i>Samuel Levins,</i>
<i>Edward Oram,</i>	<i>William Jones,</i>
<i>Thomas Griffin,</i>	<i>John Turner,</i>
<i>Benjamin Osgood,</i>	<i>John Seale,</i>
<i>Richard Tickner,</i>	<i>Richard Mills.</i>



R. Greenwood was brought to the Bar, on *Saturday Morning*, the Second of *August*, (1740.) and being arraign'd, the Clerk proceeded to read his Indictment, as followeth :

Clerk of the Arraignment. *Bartholomew Greenwood*, you stand indicted by the Name of *Bartholomew Greenwood*, of the Parish of *St. Martin's in the Fields*, in the County of *Middlesex*,

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Gentleman ; for that you, on, or near the King's High Way, in a Field near *Camberwell*, in the County of *Surry*, on the Fifth Day of *June*, in the Year of Our Lord, 1740. did assault, beat and wound *Roger Wheatley* of *Camberwell* aforesaid, and him, the said *Roger Wheatley* did also rob, and by Force and Arms did then and there take from the said *Roger*, one Piece of Current Coin of *Great Britain*, called a Guinea, and also one other Piece of Coin, call'd Half a Guinea, three Keys, one Iron Ring, and one Silver Seal, to the great Damage of the said *Roger Wheatley*, and contrary to the Peace of Our Sovereign Lord the King.

The Prosecutor's junior Council, having open'd the Indictment, he was seconded as follows, (by Mr. *M-sh.*)

My Lord and Gentlemen of the Jury, I am Council of the same Side with the Prosecutor. This is a Robbery, Gentlemen, and of such a Nature, as, I am sorry to say it, we too often meet with : The Licentiousness of the Age is risen to such a Pitch of Intemperance and Extravagance, that not content with profusely lavishing their own Substance, in Order to keep up their wonted Excesses, they too often fly to the dreadful Extream of taking from Others what they have no Right to, and which they at the same Time know is expressly contrary to all Rules of Society, both Sacred and Humane, and for which they run the Risque of a Capital Punishment ; and this more frequent about this great Metropolis, than any other Part of the Kingdom, insomuch, that a Gentleman cannot go to
his

his Country House without great Danger of being robbed. And Gentlemen, I must observe to you, that often when such a Thing happens the Person injured is under the greatest Disadvantages of bringing the Offender to Justice, as it very seldom happens that those who attempt these dangerous Methods have the Courage to attack three or four in Company, but commonly chuse to lay hold on some single Person; so that a Gentleman thus abused can be supposed to have no Evidence, but his own Testimony, but if that Person is a Man of undeniable Character, if he is positive to the Person who robs him, can there be a greater Proof? 'Tis not the Appearance of a Man, or what general Character he may bear that is sufficient to acquit him; No, we have had an Instance of that these very Assizes, where a Man lived in Credit and good Circumstances, yet was found guilty for robbing the Mail, for Gentlemen there is a Time when a bad Man must commence so, and till that Time he may live in good Credit and Reputation; but where a positive Evidence of indisputable Veracity comes and says, this is the Man that robbed me, what can withstand it? and this Gentlemen is what we shall come up to; Mr. *Wheatley*, who is a Gentleman of Fortune in the County, a Man of fair Character and strict Veracity was robb'd, and beat in a very barbarous Manner, and he positively swears that the Prisoner committed the Fact. The Case according to my Instructions, is this: On the 5th of June last Mr. *Wheatley* was at the Tennis Court, near the *Haymarket*; where he saw the Prisoner and one *Warren*; Mr. *Greenwood* asked Mr. *Wheatley* when he should see the Lord *John Sackville*; Mr. *Wheatley* replied,

that he should see him as the next Day for that he was to go out of Town with him, and that if he (Mr. *Greenwood*) had any Message he would deliver it to him ; according the Prisoner desired he would tell him, that if he did not play the Match out he must pay : Ay, replies *Warren*, my Lord *John* must either play or pay, which I suppose is according to the Rules of the Game ; why, says Mr. *Wheatley* if I had an Order from my Lord *John* I would pay you the Money *instantly* ; and this Sum Gentlemen, was Seventy pounds ; however that passed off, and Mr. *Wheatley* stayed at the Tennis Court till Three o'Clock, from whence he went into the City to Dinner, and meeting with some Friends that came out of the Country, he staid and drank a Glass of Wine, but wanting a Horse to go out of Town, the next Morning, he went to one Mr. *Adams* a Gentleman of his Acquaintance in order to borrow One, but was informed Mr. *Adams* was gone to *Vauxhall*, accordingly Mr. *Wheatley* went to *Vauxhall* to Mr. *Adams*, where he saw him, and receiv'd of him a Ticket for his Horse ; and, having thus finished his Business, he concluded upon walking over the Fields to his House at *Camberwell*, and, accordingly after having pass'd a Place, call'd, *Kennington* Common, he had about five or six Fields to go over, before he came to his own House, and in the third Field, it being then between Nine and Ten o'Clock in the Evening, he saw a Man coming after him, another in a Field on his Left Hand, and another on his Right Hand. There was a Bar, or Rail, cross the Foot Path, and the Person, who was behind him, jump'd over that Bar, and cried, I want to speak with you ; ha ! says Mr. *Wheatley*, what must I be

be robb'd ? I never was robb'd, and was preparing to put himself in a Posture of Defence, the best he could, tho' he had only a Cane, and the Person who came up to him, and which he swears to be the Prisoner, had a Pistol in one Hand, and a Stick in the other ; but Mr. *Wheatley*, considering he had but a Guinea and an half about him, thought proper to make no Resistance, and upon his asking him for his Money, he replied, he had but a Guinea and an Half, and that he would give him ; but the other notwithstanding that came up to Mr. *Wheatley*, and struck him several Blows, particularly first, on the left Side of the Head, and then with a back Stroke cut him under the Right Eye : Mr. *Wheatley* defended himself, as well as he was able with his Cane, and said : *You are a Rascal and a Villain to abuse a Gentleman, when he tells you he has but a Guinea and half, and offers to give it you :* Upon which the Prisoner replied, *why did you STRICK then ?*— I should say *Strike*, Gentlemen ; but we shall shew you, that the Word *Strick*, is a Term of Art used at the Tennis Court, and which will be a Circumstance against the Prisoner. Mr. *Wheatley*, finding he could no longer defend himself with his Cane, closed in with the Prisoner, and they both fall, and Mr. *Wheatley* being undermost, the Prisoner as the Prosecutor swears then took from him the Things mention'd in the Indictment. You must needs know, Gentlemen, that, at the Time of Year mention'd, it was Light enough to know any Person, especially one whom he had parted from, but at 3 o'Clock in the Afternoon, and whom he knew perfectly well by his *Voice*, his *Face*, and Manner of Action ; and further, which indeed I cannot
but

but say, was a little indiscreet; he, even at that Time, gave him to understand, that he knew him, for upon taking the Guinea and Half, the Prisoner said, Have you no more? No, says Mr. *Wheatley*, I told you so before. What says the Prisoner, *Have you left your Money at London?* And then ask'd Mr. *Wheatley* for his Watch: Upon which Mr. *Wheatley*, a little indiscreetly, as I said before, said: *You Villain! you know I wear none.* This was evident, that Mr. *Wheatley* knew him, nor do we suppose that it was for a Guinea and a Half that this Fact was committed: No, Mr. *Wheatley*, offering to pay down the Seventy Pounds at the Tennis Court, it might be imagin'd that he had a considerable Sum of Money about him; and that more plainly appears from the Question being ask'd, *Have you left your Money at London?* These Facts, if we make appear, which I don't but we shall, I think, you must acknowledge, that he is *Guilty*. Call Mr. *Wheatley*.

Council. Mr. *Wheatley*, will you give an Account what happen'd to you, on the Fifth of *June* last, and how far it concerns the Prisoner?

Mr. *Wheatley*. On the 5th of *June* last, I happened to be at the Tennis Court, and staid there till about three o'Clock. While I was there, the Prisoner was standing talking with One *Warren*, and then came up to me, and inquired of me, when I should see my Lord *John Sackville*, for he wanted to know if my Lord would play the Match out, that if he did not care to play it he should pay; I told him that if my
my

Mr. Bartholomew Greenwood. II

my Lord *John* owed him any Money he would pay him without doubt, that I was going down to *Bedford* with him to Morrow and would speak to him, I then asked the Prisoner how much it was? and he told me there were twenty Guineas due to him for a Horse and Fifty Guineas at Tennis, I replied that if my Lord *John* would give me an Order, I would pay the Money instantly.

Court. Did You offer to pay the Money then?

Mr. *Wheatley*. I said I would instantly, my Lord! provided I had an Order from my Lord *John*. I staid there till about three o'Clock and then I went into the City, intending to dine at a Friend's House, but I met with some Acquaintance which came from *Northampton*, and we agreed to go to a Tavern together, I staid with them some Time, and being at a Loss for a Horse to go my Journey, as I was to set out very soon the next Morning, I went from the Tavern to find out One Mr. *Adams*, who I knew had a Horse would do for me, Mr. *Adams* was not at Home, But was gone to *Vauxhall*, accordingly having got directions where to find him, I went to *Vauxhall*, where I saw Mr. *Adams*; he gave me a Ticket for his Horse, and I took my leave of him, thinking it to be my best Way to go cross the Fields home to *Camberwell*, and accordingly I went to *Kennington* Common, crossed over the Road and went into the Fields.

Court. What Time was this?

Wheatley. It was almost Nine, when I left *Vauxhall*, and it was between Nine and Ten, when I got into the Fields. When I got into the Third Field I saw a Man before me in the Field, on my right Hand, and presently two more.

Court. Were they all three together?

Wheatley.

Wheatley. Yes, my Lord, there is a Bar to get over, after that I was over that, they separated, one went to my Left Hand, another to my Right, and the third came after me; seeing myself thus beset, I turn'd back to look, and saw a Man coming towards me in a *Brown Coat*, a thin middle-sized Man: He came up to the Bar, and leap'd over at once; he had a Pistol in his Left Hand, and a large Oak Stick in his other: After he had leap'd over the Bar, he cry'd out, *I want to speak with you*; and immediately came up to me, and clapping a Pistol to my Breast demanded my Money.

Council. Were the other two Men near you, when you were thus attack'd?

Wheatley. One was about sixteen Yards off, the other more.

Court. This Man that presented the Pistol to you, was dress'd in Brown, you say: What were the others dress'd in?

Wheatley. In Brown, they were all dress'd in Brown. After he had demanded my Money, I told him, I had a Guinea and a Half, and that I would give him; but not satisfied with that, he laid on me with his Stick as hard as he could: The first Blow that I receiv'd, was on the Left Side of my Head; upon which, I rais'd my Arm, and defended myself with my Cane: I receiv'd six Blows on my Head and Left Arm, and then he drew a back Stroke, and cut me just under my *Right Eye*.

Court. Did not the two Men come up to you all this While?

Wheatley. No, my Lord, I found myself very much bruised, and said to him, you Rascall, you Villian You, are not you a Rascal to abuse a Gentleman

tleman, when he tells you what Money he has, and offers to give it You? why did you STRICK then? Said he, I could not well defend myself any longer with my Cane, so I threw it down and clos'd in with him, and in the Scuffle fell with him, he then put his Hand in my Breeches Pocket, and took out One Guinea, a half Guinea, an Iron Ring, a Bunch of small Keys and a Silver Seal, and finding I had no more, *What!* says he, *have you left your Money at London?* He then demanded my Watch, and in the Warmth of my Scuffle I was simple enough to let him understand that I knew him, for upon his demanding that, *You Villian,* says I, *You know I wear none.* When he had robb'd me, he leap'd over the Bar again, and went up to the two Men, and they all went away together.

Council. You have told the Manner of your being robb'd; Now, I would ask you, if you were then certain that you knew the Man, and by what?

Wheatley. As soon as he came up to me I knew him, for his Hat was flapp'd, and stood a little on one Side, so that I saw his Face very plain, and knew it perfectly well, tho' it had a yellowish Cast round the Chin, as if it had been rubb'd with something; besides I knew his Voice.

Council. Did you know the two others?

Wheatley. No, I did not.

Council. You say, you knew the Person that robb'd you. Look at the Prisoner: Now, consider the Oath you have taken, as you shall answer it to God, the Court, and your Country, is the Prisoner the Man that robb'd you?

C

Wheatley.

Wheatley. Upon the Oath I have taken, he is the Man that robb'd me ; I knew him the Moment I saw him, and could not be mistaken.

Council. What did you do when he left you ?

Wheatley. I went directly Home.

Council. What Time was it when you come Home ?

Wheatley. Between Nine and Ten, I sent for Doctor *Thompson*, and he came to me and dressed me, I told him I had been robb'd, the Manner of it, and that I knew the Person. The next Morning, which was *Friday*, I came to Town, thinking to enquire his Name, and that I should see him at the Tennis Court. I went to Justice *Frazier*, and he would not grant me a Warrant ; so I went to the Tennis Court, and told the whole Story to my Lord *Cavendish*, who advis'd me to let the Warrant alone till the next Day ; because he was to be at the Tennis Court then at Play : Accordingly, on the *Saturday*, having got a Warrant from Colonel *De Veil*, I gave it to *North* the Officer, and went with him to the Tennis Court, where I pointed out the Prisoner to him, and he took him, and carried him before the Justice, where he was examin'd, and committed to the Gatehouse.

Council. Did you see the Prisoner between the Time of the Robbery being committed, and his being apprehended ?

Wheatley. Yes, I saw him on the *Friday* at the Tennis Court, and spoke to him, and he seem'd to be very much confounded.

Council for the Prisoner. I would ask you a Question or two, Sir, if you please. Did you declare to Nobody that you did not know the
Man

Mr. Bartholomew Greenwood. 15

Man that robb'd you, and said, it was a Soldier?

Wheatley. I did say, he was *Riding Master* to a Troop, and that I knew him, but not readily knew his Name.

Council. Have not you said, that you could not swear to his Face, only to his Voice?

Wheatley. No, I always said, I knew both his Face and Voice.

Council for the Prosecutor. Call *Thomas Baker.* Mr. Baker, do you know any Thing of Mr. *Wheatley's* coming Home, on *Thursday*, the fifth of *June*? Give an Account of it?

Thomas Baker. I am a Tenant of Mr. *Wheatley's*; he came Home to *Camberwell*, between Nine and Ten o'Clock on *Thursday* Night, the fifth of *June* last; he was very much beat and bruised, and said, he had been robb'd, and had lost a Guinea and Half, and some other Things, and that he had been very ill us'd, but he knew the Man that did it?

Council. Did he say, who it was?

Baker. He said, that he knew him, but did not mention his Name.

Council. Did not he say, he was robb'd by two Soldiers.

Baker. He said, the Man that had robb'd him was a Soldier, and that he knew him very well.

Council. Call Dr. *Thompson.* Mr. *Thompson* was you sent for to Mr. *Wheatley* on the 5th of *June*, what Time, and upon what Account.

Thompson. Between Nine and Ten o'Clock on the Fifth of *June*, I was sent for to Mr. *Wheatley*, I live in *Camberwell*, I went to his House, and dress'd him, he said he had been robb'd, and that he believ'd he knew the Man.

Council. Did he mention no Particulars.

Thompson. Not while I staid, but I was not there long.

Council. What Time was it when you was at Mr. Wheatley's ?

Thompson. It was almost Ten o'Clock, but not quite Ten.

[The Council for the Prosecutor having gone thro' their Evidence, the Council for the Prisoner, viz. Mr. Sergeant W--nn and Mr. L-cy opened his Defence as followeth.

May it please your Lordship and You Gentlemen of the Jury ; the Charge of Robbery upon a Man, who has lived with any Credit in the World, is an Imputation that carries with it the greatest Terror, but strong as the Charge can be in the present Case we hope what we have to offer will clearly convince ye that the Prisoner is entirely innocent ; We don't deny but Mr. *Wheatley* may have been robbed, all that we say is, if he was we are utter Strangers to it, and know nothing at all of the Matter ; and this we hope to make you believe, a Man may be mistaken in the Dusk of the Evening as to another's Face, and I believe that we have had more Instances than one of this. But what are we to do ? Here is a Robbery strenuously insisted on, by the Prosecutor: and as strenuously that the Unhappy Gentleman at the Bar is the Person who was actually guilty of the Fact ; We are only to endeavour to prove that he was elsewhere, and in a Place that there could not be the least Probability of his committing any such Action, at the Time this Robbery is said to have been committed.

This

Mr. Bartholomew Greenwood. 17

This Gentlemen we shall do by several credible and substantial Witnesses : We could prove where he was the whole Day, but as that is not so very material, we will only shew you where he was from three o'Clock in the Afternoon to the Time of his going to Bed in his own Lodgings, at Eleven o'Clock. This Method has been abused, I acknowledge, to screen the Guilty, but you will make a Distinction, Gentlemen, where a Set of People are got together and tutor'd and instructed what to Swear, and where several honest Housekeepers, and Persons of undeniable Reputation, come and say, that this Man was in their Company in a Publick Room in a Tavern for some Time both before and after the Time affixed for committing this Robbery : This, Gentlemen, will I hope have it's due Weight with You, for let a Person be ever so innocent ; if a mistaken Man will be positive in his Evidence what other Way than this can he have to clear up the Aspersions especially as this was offered to be proved before the Justice, and Mr. *Wheatley* has had time enough to impeach their Character or Veracity if he could, their Affidavits have been made and filed, and if they could have been contradicted doubtless they would. And further, what is I think a Circumstance that Mr. *Greenwood* cannot be guilty of the Fact charged, we shall shew that he could not be under any Necessity to do so, since we are able to prove that his Post is Worth Two Hundred a Year : And that his Circumstances are too good to lead him into any such Temptation. We will begin from the Time he left the Tennis Court which I think was about There o'Clock and trace him up to the Time he went to Bed at Eleven. And we shall likewise shew

shew that the Prosecutor has told this Story two or three several Ways. Call *John Baker*.

Cou. Mr. *John Baker*, did you see Mr. *Wheatley* any Time, and when since the fifth of *June*, did he mention any Thing about his being robbed, and what?

John Baker. I saw Mr. *Wheatley* on the *Friday*, he said he had been robb'd, that he should know the Man again if he met him; for he was a Soldier, and he had given two Watermen something to dog him who had seen him in *George's Fields*.

Council. Did he say, he knew the Man or his Name.

Baker. No, he said he should know him again if he saw him, that was all.

Council. Call *George Baker*. Mr. *Baker* do you know Mr. *Greenwood*?

G. Baker. Yes, very well.

Council. Do you remember where and at what Time he was on the fifth of *June* last, or were you with him?

Baker. I dined with him at his own Lodgings in *Conduit-street*, it was a little after Three, and I staid with him till almost Seven, when I was going away, he said he was going towards the *Strand*, and if I was going that Way he would accompany me; but as I was going another Way we parted, and he went towards the *Strand*,

Council. Pray, Sir, when was this?

G. Baker. It was on *Thursday*, the Fifth of *June*.

Council. How came you to be so very particular in that Day, you see Mr. *Greenwood* often, can you remember any other Day of the Month that you were with him, or dined with him.

G. Baker.

Mr. Bartholomew Greenwood. 19

G. Baker. Not directly, but that being Post Night, I wrote a Letter that Night, which makes me remember the Date. I offer'd to give this in before Colonel *De Veil*.

Council Did Mr. *Greenwood* send for you when before the Colonel?

G. Baker. No, I heard of his being apprehended, and went voluntarily.

Council. Call *Cicely Mow*. Do you know any Thing of seeing the Prisoner at his Uncle's on the Fifth of *June*, and what Time was it?

Cicely Mow. I am a Servant to Mr. *Greenwood*. He lives the Corner of the *Savoy*. Between Seven and Eight o'Clock, on *Thursday* Night, young Mr. *Greenwood* came to our House, and ask'd for his Uncle, I told him he was not at Home, but was gone up to the *Genoa Arms* in *Catherine street*, and he said he would go to him, for he had got on a new Fustian Frock and Breeches, and I took up the Flap to look on it.

Prof. Co. Do you usually take up the Flap of Peoples Cloaths that come to your Master's House?

Mow. No; but I thought I might take that Liberty with young Mr. *Greenwood*.

Prof. Co. What was he dress'd in do you say?

Mow. In a white Fustian Frock and Breeches, a white Waistcoat and Stockings.

P. Co. How do you know it was the 5th of *June*?

Mow. I am sure it was; he was taken up on the *Saturday*, and it was the *Thursday* before.

Pr. Co. Perhaps you may mistake the Day, how often does he use to come to his Uncles?

Mow. Once in three Weeks.

P. Co. What just once in 3 Weeks and no oftner?

Mow. Yes, sometimes oftener.

Pris. Co. Call Mr. *Chatter*. Sir, please to give an

an Account what you remember of seeing Mr. *Greenwood*, on the 5th of *June*.

Chatler. I live next Door to old Mr *Greenwood* in the *Savoy*; young Mr *Greenwood* came to me, on the 5th of *June*, between 7 and 8 o'Clock in the Evening. I remember the Day for I had wrote to my Lawyer to meet me that Evening, and he had mislaid the Note and came to me to know the Time; when Mr *Greenwood* came to me it was between 7 and 8 o'Clock, and he said he was going up to his Uncle at the *Genoa Arms*.]

Court. Did you see him go into his Uncle's?

Chatler. No, he said he had been there when he came to me: I live next Door.

Pris. Co. What Cloaths had he on?

Chatler. A white Fustian Frock; I did not mind what else: He did not stay long with me.

Court. Do you know where he went to?

Chatler. He said he was going to the *Genoa Arms*, he went that Way.

Court. This does not prove any Thing as to the Time of the Robbery.

Council. We are coming to that now my Lord. Call Mr *Bartholomew Greenwood*. Sir, give an Account where you saw your Nephew on the 5th of *June* last, where you was in his Company, and how long he staid.

Greenwood. I went from Home on *Thursday* the 5th of *June*, about seven o'Clock in the Evening and he went up to the *Genoa Arms* in *Catherine Street*, a little before Eight o'Clock my Nephew came in, he sat down and drank with me, there were several People in the Room.

Court. How do you know it was about 8 o'Clock.

Greenwood. We all guessed it to be about Eight.

Court. Did you guess it so that Night, or Since?

Greenwood. That Night. We gues'd it to be
it

Mr. Bartholomew Greenwood. 21

about Eight o'Clock. He staid till past Nine, and then he and I went out, and after standing some Time at the Door, we took a walk round *Covent Garden Piazza*, and I went Home, and he went Home to Bed.

Council. How do you know he went Home?

Greenwood. He went that Way.

Council. Were any People in Company with you at the *Genoa Arms*?

Greenwood. Yes, several: Mr *Dobbigen*, Mr *Turner*, Mr *Austen*, Mr *Sinicrose*, and several others.

Council. What Cloaths had he on?

Greenw. A white Fustian Frock and Breeches, and a white Waistcoat.

Council. Call Mr *Dobbigen*. Were you at the *Genoa Arms*, Sir, on the 5th of *June*, and did you see the Prisoner Mr *Greenwood* there?

Dobb. I remember the Day very well, for I wrote several Letters that Day: I was at the *Genoa Arms*, and young Mr *Greenwood* came in about a Quarter before 8 o'Clock: He sat down by his Uncle, and they drank two Half Pints of Wine; while they were drinking, one of the Company pull'd out some Patterns of Cloth, which we look'd at, and I taking Notice of Mr *Greenwood's* Coat, and talking of the Price of Cloth, says he, What do you think the Outside of this Coat and Breeches cost me? it was light Fustian: Five or six and twenty Shillings said I. No, said he, but sixteen.

Council. He had a light Fustian Coat on you say?

Dobb. Yes, a light Fustian Coat and Breeches, white Waistcoat and white Stockings. They staid till a Quarter after 9, and then young *Greenwood* would have had t'other half Pint, but the old Gentleman said it was late, he must go Home.

D

Court.

Court. How do you know it was a Quarter after Nine? Had you any Clock, and did you look particularly upon his going?

Dobb. No, my Lord, but the old Gentleman saying it was late, one of the Company pull'd out his Watch, and it was a Quarter after Nine all but one Minute. They staid about three or four Minutes in the House, and then got up and went into the Yard, and there they stood talking a Quarter of an Hour: From the Yard they went down the Entry to the Street Door, and there they stood again; they were Half an Hour in the Yard, and at the Door.

Court. Did you see them all the While?

Dobb. Yes, for I satte fronting the Window, and saw them all the While they stood in the Yard, and at the Door, and when they went away I am sure it was above Half an Hour after Nine.

Council. Call Mr *Turner*. Do you remember seeing Mr *Greenwood* on the 5th of *June* at the *Genoa Arms*?

Turner. Yes, Sir, I went into the *Genoa Arms* about Half an Hour after Seven, and Mr *Greenwood* came in not very long after me; so that I believe it was near Eight: He staid there till past Nine, and then ask'd his Uncle, old Mr *Greenwood*, if they should have another Half Pint, but the old Gentleman did not care for any more Wine; so they went out and stood talking together in the Yard, and at the Door for near Half an Hour, and then went away.

Council. What Cloaths had young Mr *Greenwood* on at that Time?

Turner. A white Fustian Frock, white Waistcoat Breeches and Stockings.

Council.

Mr. Bartholomew Greenwood. 23

Council. Did they stand in Sight when they were in the Yard, and at the Door?

Turner. Yes, I saw them all the While.

Council. Call Mr *Sinicrose*. Sir, Was you at the *Genoa Arms*, on the 5th of *June*?

Sinicrose. I was there about Seven o'Clock, young Mr *Greenwood* came in about Eight; he staid till a Quarter after Nine, and then went out in the Yard, where he stood talking with his Uncle Half an Hour, that is in the Yard and at the Door.

Council. Do you know any Thing of a Watch being pull'd out to see the Hour.

Sinicrose. Yes, old Mr *Greenwood* saying it was late, and he did not care to drink no more, I pull'd out my Watch to see what o'Clock, and it was exactly fourteen Minutes after Nine, they staid some little Time in the House, paid their Reckoning, and went and stood in the Yard and at the Door.

Thomas Crose. I keep the *Genoa Arms*, young Mr *Greenwood* was in the House when I came in, about a Quarter after Eight, and I left him there when I went out at Nine.

Alice Turner. I am Servant at the House where Mr. *Greenwood* lodges in *Conduit street*; he came home on *Thursday*, the fifth of *June*, exactly at 11 o'Clock: I let him in, and I know what Hour it was, because our Clock was set that Day, and I look'd to see how it went, for one Clock had struck, but ours had not.

John Greenwood. My Brother has Seventy Pound a Year or upwards Estate part Freehold, part Copyhold I know it for I received the Rents in my Father's Time, and for my Brother since this Misfortune.

Lord

Lord Delawar. Mr. *Greenwood* is Riding Master to the Troop, which I have the Honour to command, it brings him in generally 200 *l. per Annum*; but, I believe, I may say never less than 150. He is a sober Man, bears a general good Character, and I never heard the least Ill of him; this I know, that whenever I send for him upon any Business, he is always ready and with me, almost as soon as I send.

Mr. Frazier. When Mr. *Wheatley* came to me for a Warrant, he said he did not know the Man by his Face, but by his Voice: I would not grant him a Warrant, and said, if you cannot swear to his Face, be sure you are certain of his Voice before your swear.

Col. De Veil. When he was examin'd before me, Mr *Wheatley* said, if *Greenwood* was the Man, he had a black Arm, for he had paid him so with his Cane, that it must be black. He stripp'd both his Arms, and not the least Mark appeared; most of the Evidence that has been given in Court was offer'd before me.

My Lord *Delawar*, *Col. Folliot*, *Capt. Hawker*, Esq; *Fowler*, *Mr Ellis*, and several others appeared, and gave Mr *Greenwood* a general good Character.

The Prosecutor likewise call'd several Gentlemen to his Character, who said, that he was a Man that would not forswear himself on any Account.

The Judge, having summ'd up the Evidence, left it to Jury, concluding: *Gentlemen, if you believe Mr Wheatley you will find the Prisoner guilty, if do not believe Mr. Wheatley you'l acquit him.*

The Jury withdrew, and return'd in a Quarter of an Hour, and brought in their Verdict, NOT GUILTY.

F I N I S.